General Government Transition Issues

ISSUES		NON-REPRESENTED EMPLOYEES	REPRESENTED EMPLOYEES	
GENERAL STATEMENT ON TRANSITION				
When the new rules or Master Agreements (MAs) effective July 1, 2005, conflict with the old rules, collective bargaining agreements or other agreements that were signed prior to July 1, 2005, which documents govern after July 1, 2005?		**Answer: The determination about which rules apply must be made based upon whether the action was initiated prior to 7/1/05. If the action was initiated prior to 7/1/05, the action would be completed using the old rules.** Explanation: WAC 357-04-120 is the savings clause for the new civil service rules. Employers must rely on the savings clause if prior to July 1 an action is started but not completed by July 1. For example, if an employer notified an employee on June 30 that she/he will be laid off effective July 15, the employer must determine the employee's layoff options in accordance with the pre-July 1 rules because the action was initiated under those rules.	**Answer: On July 1, 2005, the Master Agreements (MAs) govern all actions for represented employees.** Explanation: On July 1, 2005, the collectively bargained Master Agreements (MA) become effective. If a topic was bargained at the table, the MA governs the relationship between the employee and management on that topic. If an employee's status on June 30, 2005, conflicts with the terms of the MA, that employee's status will be changed on July 1, 2005 to reflect the terms of the MA. The parties that negotiated the MAs agreed that all individual agreements, negotiated agreements, past practices or any other agreement (including a WAC on a topic) that conflicts with the MA are superceded by the MA for represented employees. Specifically, in the Entire Agreement Article, the parties agreed: **ENTIRE AGREEMENT** **46.1** This Agreement constitutes the entire agreement and any past practice or past agreement between the parties—whether written or oral—is null and void, unless specifically preserved in this Agreement. **46.2** With regard to WACs 356 and 357, this Agreement preempts all subjects addressed, in whole or in part, by its provisions. **46.3** This Agreement supersedes specific provisions of employer policies with which it conflicts. **46.4** During the negotiations of the Agreement, each party had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter appropriate for collective bargaining. Therefore, each party voluntarily and unqualifiedly waives the right and will not be obligated to bargain collectively, during the term of this Agreement, with respect to any subject or matter referred to or covered in this Agreement. Nothing herein will be construed as a waiver of the Union's collective bargaining rights with respect to matters that are mandatory subjects/topics under the law.	

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			Employers will be required to identify represented employees in unique status and advise those employees in writing of the new terms of their status consistent with the MA.	
ALLOCATIONS				
What happens if a request for reallocation was received in June but not acted on until July?		**Answer: The position should be reviewed for reallocation based on the classes and rules that were in effect at the time the request was made.**	**Answer: Nothing changes under the terms of the MA, although employers need to look at the reallocation compensation in each MA.** Explanation: The impact of a reallocation request has not changed as a result of the new master agreements. The effective date of the reallocation would be the date received and appeal rights continue through the director of DOP.	
APPOINTMENTS				
Will employees in temporary appointments start new appointments or will the current limits apply until temp ends? Can employers terminate all temps and non-perms on 6/30/05 and rehire them into same status 7/1/05?		**Answer: Temporary appointments will not automatically end on 6/30/05 and restart on 7/1/05. If an employer does nothing, the temporary appointment will continue under the old rules until the conclusion of the appointment. If an employer ends the appointment on 6/30/05 and makes a new nonpermanent appointment on 7/1/05, the new rules apply.** Explanation: Employers need to be aware that under the new rules employees may request remedial action when a nonpermanent appointment exceeds 24 months or if the appointment does not comply with the rules on nonpermanent appointment. WAC 357-19-365 specifies that if at anytime during a nonpermanent appointment, a short-term workload peak or other short-term need becomes ongoing and permanent in nature, the employer must take action to fill the position on a permanent basis. If an employer is filling a position with a nonpermanent appointment based on a workload peak or other short-term need and the employee has already met the limit or will shortly meet the limit under the old rule and the employer chooses to end the temporary appointment on 6/3/05 and reappoint the individual on 7/1/05 for a	**Answer: For all represented units, all temporary/emergency/rotational appointments should be terminated by the employee's current employer no later than June 29, 2005, with an effective date of no later that June 30, 2005. Employers may re-appoint as non-permanent on July 1, 2005.** Explanation: Employers will terminate all temporary employees, emergency appointments, and rotational assignments, etc., on June 29, 2005, with an effective date of June 30, 2005. If the Employer wants to bring back the employee in a new non-permanent appointment, they can do so on July 1, 2005. Since the MAs do not have temporary/emergency/rotational appointment language, these new appointments would be "nonpermanent" (or intermittents as on-call) under the MAs. The appointment could be for up to 12 months beyond the new appointment date and the other terms of the agreements would apply. If the employer wants to allow the permanent employee to continue in the non-permanent assignment, the employer should notify the employee of their return rights to their permanent position under the terms of the MA (See also Return Rights).	

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		24-month nonpermanent appointment, there is a risk that the work of the position will be viewed as permanent in nature and no longer based on a short-term need. This could result in unintended consequences if the employee makes a remedial action request.		
Will employees in intermittent appointments start new appointments or will the current limits apply until intermittent appointment ends? Can employers terminate all intermit tents on 6/30/05 and rehire them into same status 7/1/05?		**Answer: Same as answer on temporary appointments.**	**Answer: Under the WPEA MA, intermittent appointments should be terminated on June 30, 2005 and re-appointed on July 1, 2005 as non-permanent appointments. Under all other MAs, intermittent appointments should be terminated on June 30, 2005 and re-appointed on July 1, 2005 as on-call appointments.[1]**	
If employees are in probationary or trial service status, and that time extends past July 1, 2005, can employers extend the probationary or trial service under the new rules and/or MAs?		**Answer: No, employees in a probationary or trial service period should serve the remainder of the period. Employers should adjust for leave usage as allowed under the old rules; however, extensions should not be made using the flexibility of the new rules.** Explanation: If it is likely that a probationary employee will not be successful, the employer should separate the employee. At that point, the employer can choose whether or not to re-hire the employee.	**Answer: Yes, up to the length of time specified in the MA.[2]** Explanation: If an employee's trial service or probationary period extends beyond July 1, 2005, their remaining trial service or probationary period would be covered by the terms of the MAs (it could have changed to a total of 12 months or be extended to a total of 12 months depending on the MA).	
What are the reversion rights of individuals who are in trial service status		**Answer: For employees in trial service status during transition, apply new rules if reverting after 7/1/05.**	**Answer: Reversion rights in MAs are 1) within current employer only, 2) to a vacant position and 3) or positions filled by non-permanent employees. [3]**	

[1] If the employee's intermittent position is covered by a MA, the employee must get written notification consistent with the terms of the MA that governs the employee's current position.
[2] Prior to July 1, 2005, these employees must receive written notification of their probationary/trial service status under the MAs.

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as of transition and reverted 7/1/05 or later?		Explanation: Because the action of reversion takes place after 7/1/05 it is appropriate to use the new civil service rules relating to reversion.	Explanation: Follow reversion rights as defined in the appropriate MA in the Hiring and Appointments Article. Reversion rights in MAs are within current employer only and to vacant positions or positions filled by non-permanent employees. Reverted employees must have the skills and abilities to perform the functions of the position.	
If an employee is in an acting WMS appointment, what notice does and agency have to give that employee?		**Answer: The determination about which rules apply must be made based upon whether the action was initiated prior to 7/1/05. If the action was initiated prior to 7/1/05, the action would be completed using the old rules.** Explanation: WAC 357-04-120 is the savings clause for the new civil service rules. Employers must rely on the savings clause if prior to July 1 an action is started but not completed by July 1. For example, if an employer notified an employee on June 30 that she/he will be laid off effective July 15, the employer must determine the employee's layoff options in accordance with the pre-July 1 rules because the action was initiated under those rules.	**Answer: The MAs do not apply to WMS positions, so the appointment to a WMS acting position would have to comply with the WACs for non-represented employees.**	
DEVELOPMENTAL ASSIGNMENTS				
Will employers still have the ability to make rotational or developmental assignments without incurring reallocation or compensation obligations?		**Answer: Yes, per WAC 357-34-050.**	**Answer: No.** Explanation: MAs do not allow for Developmental Assignments. Employers may use non-permanent or re-assignment appointments for this purpose.	
What about in-training assignments?		**Answer: New rules provide for in-training appointments. Employees currently performing work under a training plan can continue.** Explanation: Employers should review training plans to determine if any of the intermediate or goal	**Answer: Yes, the MAs allow for in-training assignments, but under different terms.** Explanation: Under the terms of the MA, the employee hired into an in-training assignment must successfully complete the job requirements of the appointment.	

[3] Prior to July 1, 2005, employers must provide written notice to employees of their trial service reversion rights under the MAs.

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		classes will need to be modified to reflect changes occurring with the classification plan. After 7/1/05 an establishment or modification of training plans can be done without DOP approval. Any in-training appointments made after 7/1/05 would be under new rules.	The Employer may separate from state service any new state employee who has completed the probationary period for an in-training appointment but does not successfully complete the subsequent trial service period(s). A permanent employee who takes an in-training assignment will be reverted unless they successfully complete all of the trial service period(s) associated with their in-training assignment.	
DISABILITY				
If an employer has begun the disability separation process prior to July 1, 2005, but has not completed the process by July 1, 2005, what type of notice is required to the employee?		**Answer: Contact the AGs office for advice.** Explanation: The rules do not specifically require notice on a disability separation, but they do require that employers engage in an accommodation process, which includes notifying the employee that separation due to disability may occur if no accommodation can be made. The AGs office will be providing advice on the type of written communication to provide to individuals where disability separation is a possibility.	**Answer: Contact the AGs office for advice.** Explanation: The MAs do not specifically require notice on a disability separation, but they do require that an employer engage in an accommodation process, which includes written communication. The AGs office will be providing advice on the type of written communication to provide to individuals where disability separation is a possibility	
After July 1, 2005, what re-employment right does an employee have who was disability separated prior to July 1, 2005?		**Answer: For individuals who sought reemployment before 7-1-05 and are on the employer layoff list, they should remain on the layoff list for two years. These issues are also addressed under the register portion.**	**Answer: They have the right to request to be placed in the General Government Transition Pool, except for individuals represented by WPEA. If the individual in question is in a WPEA represented unit, contact your LRO liaison.[4]** Explanation: Individuals in disability status under the MAs (except for the WPEA MA, which follows WAC 357), have no guaranteed return rights and employers will place their name on the General Government Transition Pool upon their request after they have met the re-employment requirements in the WAC.	
DISCIPLINE				
If a manager begins a disciplinary action prior to July 1, 2005 but does not complete it what process will they use?		**Answer: Contact the AGs office for specific advice on this subject.**	**Answer: Employers should contact the AGs office for specific advice on this subject.**	

[4] Prior to July 1, 2005, employers must provide written notice to employees who have been disability separated of return rights under the MAs.

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GRIEVANCES				
On July 1, 2005, how do we handle a grievance that is proceeding through the grievance steps in the old contract, but has not been moved to arbitration (if it had been moved to arbitration, 41.80 requires the PRB to decide the grievance issue)?		N/A	**Answer: Advice on this subject is pending review. Notice to agencies will be forthcoming within the next week.**	
HIRING				
What process for hiring do you use if you have begun hiring prior to July 1, 2005 but have not completed it yet?		**Answer: The employer can use the existing referral that was created prior to July 1 to make the appointment or cancel the referral and after July 1 certify a new pool of candidates in accordance with the new rules and employer certification procedure.**	**Answer: The employer can either continue with the hiring process that was on going prior to July 1, 2005, or stop that process and use the hiring process in the MA. Employers must not combine the two processes.** Explanation: The MA covers the hiring process. The MA gives greater latitude to the employer on hiring decisions. If an employer wants to hire off a recruitment that was in process prior to July 1, 2005, they can do so without violating the terms of the MA. If an employer wants to close a hiring process and use the terms of the MA they must close the hiring process prior to July 1, 2005, starting a new hiring process after July 1, 2005. Employers must not modify a hiring process that was started prior to July 1, 2005, by adding additional names after July 1, 2005. If an employer wants to use the terms of the MA, they must close out the old hiring process and begin a new one under the terms of the MA.	

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HOURS OF WORK				
The MA does not provide for study time as time worked. Study time in the apprenticeship program is considered work time. Do we stop this practice for those currently in the program or new enrollees or continue the practice?		N/A	**Answer: The employer retains discretion as to what it considers work time. If it chooses to consider study time work time, that would be allowed under the MA. Employers also need to be aware of Fair Labor Standards Act requirements regarding certain study time.**	
Do existing work schedules and alternate workweeks remain in effect after July 1, 2005?		**Answer: Yes, unless employer takes action to change.**	**Answer: The MAs control work schedules and alternate work schedules after July 1, 2005.**[5] Explanation: Employers must notify their employees if the employee's workweek is different from the default workweek in the MAs. This is particularly important for employees with "8-9s and an 8 or 4/10" schedules. If you do not notify them that their existing schedule remains in effect, you may owe them overtime were they to contest the lack of notification. Employers must follow the notice requirements contained in the MAs.	
LEAVE				
FMLA: Do we need to notify employees of any changes to how FMLA is administered?		**Answer: Yes.** Managers should refer to the guidance prepared by Donna Stambaugh of the Office of the Attorney General.	**Answer: Yes.** Explanation: Managers should refer to the guidance prepared by Donna Stambaugh of the Office of the Attorney General.	
Should we be notifying employees of changes in leave provisions? (Examples: For GG, total		**Answer: Yes.** Explanation: Employers should be communicating with employees regarding the new rules and the	**Answer: Yes.** Explanation: At the time that an employee makes a leave request, Management should inform employees in writing of any changes as to how leave is treated under the MAs.	

[5] Employers must notify their employees of the employee's workweek if the employee's workweek is different from the default workweek in the MAs.

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employment is credited earlier under new rules and bereavement leave is available).		employer's leave policy. Employees need to understand how the new rules and employer policy impact their use of leave.	Management has a variety of new flexibilities under the MAs and employees need to know if things will change and how.	
RETURN RIGHTS				
How will we address situations where employees have rights to job classes that no longer exist due to changes to the classification plan? (Example: Placement on Layoff Lists/RIF Registers, return from exempt, reversion, etc.)		**Answer: Determine what class the employee has rights to based upon where the work was reclassified. If the key responsibilities and requirements are the same, the employee has rights to the new class.** Explanation: This is a situation that has come up numerous times over the years as we have implemented changes to the classification plan. Although the current reform involves a much larger scale of change, the way in which to determine the appropriate class has not. The first step is to determine whether the work of the previous class has been merged into a different class and how similar or different it is from the previous class. If the key responsibilities and requirements are the same, then rights are to the new class. (An example of this is when we implemented the clerical class study in 1996. The work of Clerk Typist 3 was merged into the Office Assistant Senior class.) In some cases, however, the work is no longer done and the class has been abolished. If the employee with a return right had actually been in the class at the time of the change, the employee would have been laid off due to lack of work. In this case, there would be no option to that class because the work no longer exists.	**Answer: The MAs follow DOP Rules on classification issues.**	

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What are the return rights of an employee who started a temporary appointment prior to 7/1/05 and returns after 7/1/05?		**Answer: For employees currently in temporary appointments, employers must honor return rights under old rules if the employee's temporary appointment extends beyond 7/1/05. If an employer chooses to end all temporary appointments on 6/30/05 and make new nonpermanent appointments effective 7/1/05, the new rules will apply.** Explanation: Because the new rules require employers and employees to provide notice to each other before taking a nonpermanent appointment, employers planning on terminating appointments and reappointing effective 7/1/05 must allow adequate time for the notice to occur.	**Answer: See answer in Appointment section.**	
What are the return rights of an individual who started a project appointment prior to 7/1/05 and returns after 7/1/05?		**Answer: For employees currently in project appointments, employers must honor return rights under old rules if the employee's current project appointment extends beyond 7/1/05. If an employer chooses to end all project appointments on 6/30/05 and reappoint effective 7/1/05, the new rules will apply.** Explanation: Because the new rules require employers and employees to provide notice to each other before taking a project appointment, employers planning on terminating appointments and reappointing effective 7/1/05 must allow adequate time for the notice to occur.	**Answer: Only those rights outlined in the MAs layoff and recall provisions.[6]** Explanation: All employees in project positions on July 1, 2005, will be governed by the project article in the MAs. Any rights that a project employee had prior to July 1, 2005, that conflict with the terms of the MAs, are extinguished on July 1, 2005. Most agreements use the employer layoff and recall process to return permanent project employees.	

[6] Prior to July 1, 2005, employers must provide written notice to employees who are in project positions as to their status under the MAs.

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What are the return rights of a permanent WMS employee who started an acting WMS appointment prior to 7/1/05 and seeks to return to his/her permanent position after 7/1/05?		**Answer: For employees currently in acting appointments, employers must honor return rights of old rules if the employee's acting WMS appointment extends beyond 7/1/05. If an employer chooses to end all acting WMS appointments on 6/30/05 and reappoint effective 7/1/05, the new rules will apply.** Explanation: Because the new rules may require employers and employees to provide notice to each other before taking an acting appointment, employers planning on terminating acting appointments and reappointing effective 7/1/05 must allow adequate time for notice to occur.	**Answer: Follow DOP rules for handling WMS returns. The MAs do not apply to WMS employees. There is no prohibition in any of the MAs against WMS employees returning to represented positions.**	
NON-PERMANENTS				
Can we convert a non-permanent in accordance with the non-permanent MA language and not follow the "filling of a vacant position" MA language?		Not applicable.	**Answer: Yes.** Explanation: Under the terms of the MAs, non-permanent employees can be appointed to the permanent position they are filling without the employer following the "filling positions" language.	
OVERTIME ELIGIBILITY				
Is employee notice required when an employee is changed from S, NS or overtime eligible and if so, when would an employer implement the change?		**Answer: Yes.** **Notice for changes: Employees must be notified of whether or not they are eligible for overtime. The eligibility designations change from S and NS to overtime-eligible and E to overtime-exempt. Employees should receive general notice that these designations are changing and specific notice if the employee's individual designation is changing.** **Implementation of change: Even though the new rules take effect 7/1/05, we recommend for administrative ease that employers implement**	**Answer: Notice is required and the change is implemented on July 1, 2005.[7]** Explanation: Please refer to the training on Hours of Work that was provided by LRO staff.	

[7] Prior to July 1, 2005, employers should provide written notice to employees whose overtime status has changed under the terms of the MAs.

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		the changes to work period designations (i.e. elimination of the "S" work period designation) and the calculation of overtime (i.e. paid time off doesn't count) at the start of the work week which begins 7/1/05 or later.		
RE-ASSIGNMENT				
In the compensation article we define reassignments (employer-initiated move of an employee). Assumption: these are actions that take place prior to declaring a position vacant.		N/A	**Answer: Yes. Re-assignment happens prior to declaring a vacancy and does not result in a change in position, therefore, no vacancy exists.**	
CURRENT REGISTER RIGHTS[8] [9]				
What happens to candidates on current employer RIF registers?		**Answer: These individuals will be available via the DOP centralized ARMS system for two years from the effective date of the RIF.** Note: Employers who choose to maintain their own internal layoff lists will need to either review the centralized layoff lists when filling positions, or communicate with candidates on those lists about the need to get on employer specific layoff lists. DOP will be providing a listing of candidates on layoff lists to each employer.	**Answer: These individuals will be considered as internal layoff candidates for two years.** Notes: If there is a break in service, these candidates are no longer eligible to be considered as promotional and are treated as other eligible, part of the 25% hiring pool.	

[8] Prior to July 1, 2005, DOP will provide written notice to employees on RIF and Reversion registers explaining their status under the terms of the rules and the MAs. Employers must provide written notice to employees who have been laid off, reverted, or separated due to disability, but have not requested placement on the layoff or reversion lists.

[9] DOP will also be providing RIF candidates with a score of 70.0 in the centralized system and notifying the candidates of the option to retest or use an old score to improve their score for consideration as a statewide layoff candidate for represented positions.

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What happens to candidates on service wide RIF registers?		**Answer: These individuals will be available via the DOP centralized ARMS system for two years from the effective date of the RIF.**	**Answer: These individuals will be considered as statewide layoff candidates for two years.**	
What happens to candidates on RIF registers who were separated due to a disability prior to July 1, that were cleared by a doctor to return to work prior to July 1?		**Answer: These individuals will be available via the DOP centralized ARMS system for their original period of eligibility, not to exceed two years, however will only be eligible for consideration as a layoff candidate for non-represented positions. If unemployed, they may also get into the GG Transition Pool for this same period of eligibility.**	**Answer: These candidates become part of the 25% hiring pool and may be considered via the General Government Transition Pool.**	
What happens to candidates on current employer RIF registers due to reallocation downward?		**Answer: These individuals will be available via the DOP centralized ARMS system for their original period of eligibility, not to exceed two years, for their present employer only.**	**Answer: These individuals will be considered as internal layoff candidates for two years.**	
What happens to candidates on existing DOP centralized Higher Education RIF registers?		**Answer: The register goes away. However, these, individuals will be placed on the DOP centralized ARMS system as a statewide layoff candidate.**	**Answer: These individuals will be considered as statewide layoff candidates for two years.**	
What happens to candidates on existing Dual Employer or Service Wide Reversion registers?		**Answer: The reversion register goes away. These candidates will be informed that they will be placed on the internal layoff list for their most recent employer and remain for their original period of eligibility (not to exceed two years from the date their application was originally entered onto the register).**	**Answer: The reversion register goes away. These candidates will be informed that they will be placed on the internal layoff list for their most recent employer and remain for their original period of eligibility (two years from the date their application was originally entered onto the register).**	

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What happens to candidates on existing DOP centralized promotional registers?		**Answer: These candidates will remain on the register with their current scores, however the system will refer them to their current employer as internal promotional and to other employers as other eligible (equivalent to statewide promotional and open competitive).**	**Answer: If they are an employer promotional, they are considered as a part of the 75% hiring pool. If they are on a state-wide promotional register, they would become part of the 25% hiring pool.** Note: If there is a break in service following a layoff, these candidates are no longer eligible to be considered as promotional candidates and are treated as other eligible candidates.	
What happens to candidates on DOP centralized unranked transfer registers?		**Answer: These optional lists go away.** Explanation: Candidates on these registers will need to take the existing class wide examination for consideration from the centralized system. Transfers may be same or different class, same pay range, within the current employer or between employers. Note: Employers who maintain their own transfer lists will need to communicate with candidates on those lists about any changes in process.	**Answer: Transfer candidates (within the same class and same employer) are counted in the 75% hiring group in accordance with the MAs. Transfer candidates from a non-employer statewide transfer register will be added to the 25% hiring group. Employers filling covered positions will need to verify whether the successful candidate is in the same class or not. If not, the employee will be required to serve a trial service period.**	
What happens to candidates on DOP centralized unranked voluntary demotion registers?		**Answer: These optional lists go away. Candidates on these registers will need to take the existing class wide examination for consideration from the centralized system. Demotions may occur within the same or between employers.**	**Answer: Demotion candidates (within the same employer) are counted in the 75% hiring group in accordance with the MAs.**	
What happens to candidates on existing DOP centralized registers as Intersystem (Higher Education)?		**Answer: They will remain on the register for their original period of eligibility, however the system will refer them as other eligible (equivalent to statewide promotional and open competitive)**	**Answer: They will be in the 25% hiring pool.**	
What happens to candidates on existing open competitive registers?		**Answer: Candidates will remain on these registers for their original period of eligibility.**	**Answer: Candidates that are not employed by the State will move to the 25% grouping of external candidates to be considered for employment.**	

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What happens to candidates on re-employment registers?		**Answer: The re-employment registers go away.** Explanations: Via a letter, DOP will be notifying all candidates on the re-employment registers of the new CSR rules and Collective Bargaining Agreements which go into effect July 1. If they are still interested in seeking re-employment with the State of Washington, they should review the open recruitments and apply for those recruitments that are open and that they meet the qualifications for. They will also be encouraged to apply directly to the employer they were previously employed by.	**Answer: The re-employment registers go away.** Explanation: If they are still interested in seeking re-employment with the State of Washington, they should review the open recruitments and apply for those recruitments that are open and that they meet the qualifications for. They will also be encouraged to apply directly to the employer they were previously employed by.	
REGISTER RIGHTS – OTHER				
What happens to candidates who are RIFd prior to July 1, who seek getting on the RIF register after 7/1?		**Answer: Under the new rules, these candidates would be eligible to be on the layoff lists for two years from the effective date of the RIF. Candidates will also have the right to seek placement into the General Government Transition Pool and will remain eligible for consideration for this same period of eligibility**.	**Answer: Under the MAs, these candidates may be on a layoff list for two years.**	
What happens to candidates who were separated due to a disability prior to July 1, that were cleared by a doctor to return to work after July 1?		**Answer: Under the new rules, these candidates would not be eligible to be on the layoff lists. Candidates have the right to seek placement into the General Government Transition Pool and will remain eligible for consideration for two years.**	**Answer: These candidates may be considered via the General Government Transition Pool.**	
What happens to candidates who were separated due to a disability prior to July 1, that were cleared by a doctor to return to work prior to July 1 that apply for re-employment after July 1?		**Answer: Under the new rules, these candidates would not be eligible to be on the layoff lists. Candidates have the right to seek placement into the General Government Transition Pool and will remain eligible for consideration for two years.**	**Answer: These candidates may be considered via the General Government Transition Pool.**	

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What happens to candidates reallocated downward prior to July 1, seeking to get on employer RIF registers after July 1?		**Answer: New rules allow these employees to be on the employer RIF register for two years from the effective date of the reallocation downward.**	**Answer: Under the MAs, no person can be on a layoff list for more than two years from the date of the original action and they must meet the skills and abilities necessary for the position.**	
If an employee is in a WMS acting position, what notice does the agency have to give that employee?				
CERTIFICATION FROM RIF REGISTERS				
Will employees be referred from the layoff list under current rules or new rules?		**Answer: For any certification actions occurring 7/1/05 or later, new rules apply.**	**Answer: Only if they have been on the employer layoff list for less than 2 years.** Explanation: After 7/1/05 employees who have been on the internal layoff list for 2 years or less will be referred. Employees who have been laid off longer than 2 years may apply for positions as an outside candidate as allowed for in the MAs.	
After 7/1/05, do individuals on RIF lists/layoff lists need to meet the position specific requirements in order to be certified?		**Answer: Yes, starting 7/1/05 only those candidates that satisfy the competency and position requirements can be certified.**	**Answer: Yes.** Explanation: The MAs clearly state that an individual on an internal layoff list must have the skills and abilities necessary to fill a vacant position.	
SENIORITY				
How will seniority be calculated?		**Answer: As of July 1 the calculation for seniority changes. Seniority is length of unbroken state service for full-time employees. For full-time employees LWOP for more than 15 consecutive days for a non-qualifying reason will result in an adjustment of seniority date.**	**Answer Under the MAs, seniority is length of unbroken state service for full-time employees. LWOP for more than 15 consecutive days for a non-qualifying reason will result in an adjustment of seniority date.**	